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UNCLAS RANGOON 000228

SIPDIS

SENSITIVE

E.O. 12958: N/A

TAGS: [PGOV](#) [BM](#) [ASSK](#)

SUBJECT: AUNG SAN SUU KYI AVOIDS JAIL, CALLS REGIME'S BLUFF

1. (SBU) Summary: Aung San Suu Kyi was found guilty of wrongful restraint February 21 in a civil suit brought by her cousin. The NLD Chairman says the court's judgment was "definitely politically motivated," and her lawyer outlined several procedural irregularities. Daw Suu reportedly objected to the judgment and the process and was prepared to go to jail for a week rather than admit guilt and pay a nominal fine. As two thousand people crowded around the courthouse, the government backed off, issuing a "suspension of judgment" decree, handing Aung San Suu Kyi another principled victory, for the time being at least. End Summary.

2. (SBU) The Incident

On May 8, 2002, two days after Aung San Suu Kyi was released from house arrest, her maternal cousin, Soe Aung, appeared on her housing compound and accosted her in front of the NLD leadership. He punched her and was banished from the compound. She sued him for "outraging the modesty of a woman" and he counter-sued her for wrongful restraint. The cousin had once lived in a small building on the family compound, and apparently wanted to move back in.

3. (SBU) "Politically Motivated"

At a February 21 press conference at NLD HQ, Aung San Suu Kyi's lawyer and the assembled party leadership detailed the events of the day. Both ASSK and her cousin were found guilty and received small fines or short jail terms. ASSK objected to the process and judgment, refusing to pay the small fine and claiming she would go to jail for the seven days if necessary. Her lawyer detailed some legal irregularities. When a U.S. reporter asked if the NLD leadership thought the case was politically motivated, the NLD Chairman answered, "It definitely was politically motivated."

4. (SBU) How's That?

Soe Aung is said to have been put up to this by the regime. Local political analysts tell us a number of ASSK's family members have been approached by the SPDC and encouraged to bring lawsuits against her. Entangling her in tawdry civil litigation with family members would diminish her status of international icon. We know of at least one other suit filed against her by a family member. One also wonders how Soe Aung could have gotten access to her compound, isolated as it is by tight police checkpoints.

5. (SBU) So What?

What was perhaps a regime-supported smear effort has backfired, as ASSK once again stood by her principles and called the government's bluff. Given the tension in the city arising from the ongoing banking crisis, the authorities perhaps sensed that this event could have sparked trouble. The regime has backed down for now, but we note the judgment was only suspended, not overturned. MCMULLEN